

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

CLIFFORD D. GADISON,

Defendant-Appellant.

UNPUBLISHED

July 7, 2000

No. 220234

Genesee Circuit Court

LC No. 96-054988-FH

Before: Jansen, P.J., and Hood and Saad, JJ.

MEMORANDUM.

Defendant pleaded guilty of probation violation and was sentenced on his underlying drug convictions to serve two to four years in prison. Defendant's post-sentencing motion for credit for time served in an in-patient substance abuse treatment program was denied by the trial court. He appeals by leave granted from that order. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

In *People v Scott*, 216 Mich App 196; 548 NW2d 678 (1996), this Court held that the sentencing credit statute, MCL 769.11b; MSA 28.1083(2), does not entitle a defendant to credit for time served in an in-patient alcohol treatment program. In so holding, the *Scott* Court repudiated *People v Strange*, 91 Mich App 596; 283 NW2d 806 (1979), a case heavily relied upon by defendant in this case. Accordingly, the trial court did not err in denying defendant credit for time served in the New Paths Substance Abuse Treatment Program.

Affirmed.

/s/ Kathleen Jansen

/s/ Harold Hood

/s/ Henry William Saad